



County of Los Angeles CHIEF EXECUTIVE OFFICE

Kenneth Hahn Hall of Administration
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(213) 974-1101
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WILLIAM T FUJIOKA
Chief Executive Officer

Board of Supervisors
GLORIA MOLINA
First District

MARK RIDLEY-THOMAS
Second District

ZEV YAROSLAVSKY
Third District

DON KNABE
Fourth District

MICHAEL D. ANTONOVICH
Fifth District

June 6, 2012

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

**2011 PUBLIC SAFETY REALIGNMENT (ASSEMBLY BILL 109,117, and 118)
BUDGET AND STAFFING RECOMMENDATIONS AND APPROVE
APPROPRIATIONS ADJUSTMENT - JANUARY TO JUNE 2012
(ALL SUPERVISORIAL DISTRICTS AFFECTED) (4 VOTES)**

SUBJECT

Request Board approval of an Appropriation Adjustment in the amount of \$90,834,000 for the Departments of Probation, Sheriff, District Attorney, Public Defender, Alternate Public Defender, Mental Health, Public Health, and Health Services to fund the staffing, training, equipment, information systems, programming, and re-entry services necessary and pursuant to the transfer of responsibilities for certain inmates and parolees from the State to the counties under the Public Safety Realignment Act of 2011 (Assembly Bills 109, 117, and 118).

Los Angeles County was allocated \$124.5 million for the first fiscal year of Public Safety Realignment. Based on costs to date and the current appropriation request, County departments will fully utilize the funding for staffing, operations, and one-time costs.

As of April 30, 2012, the State has remitted \$84.3 million (68 percent) into the Public Safety Realignment Trust Accounts. In order to draw funds from the trust accounts for budgeted Public Safety Realignment costs, County departments must submit reimbursement claims to the Chief Executive Office. Of the \$33.7 million budget for October through December 2011, County departments have submitted \$27.9 million in reimbursement claims and encumbrances.

The Board had approved an initial 469 County positions for Public Safety Realignment operations through December 2011. However, County departments have only filled 196 positions due to recruitment difficulties directly attributable to the temporary classification status of the Public Safety Realignment positions. During the interim, the County departments' Public Safety Realignment operations have been required to manage their increasing caseloads by relying heavily on overtime and temporarily reassigning and/or rotating staff from other programs. Converting the Public Safety Realignment positions from monthly temporary "O" sub-item classifications to monthly permanent "A" sub-item classifications will alleviate serious recruitment issues, allow County departments to build an experienced professional workforce dedicated to managing these new populations, and provide the Board with continued fiscal discretion to respond to any changes to State funding levels. The conversion from temporary "O" sub-item classifications to permanent "A" sub-item classifications will have no fiscal impact since Public Safety Realignment positions have always been budgeted against full-time equivalents.

IT IS RECOMMENDED THAT YOUR BOARD:

1. Approve an Appropriation Adjustment (Attachment I) in the amount of \$90,834,000 for the Departments of Probation (\$20,192,000); Sheriff (\$56,878,000); Mental Health (\$7,488,000); Public Health (\$1,596,000); Health Services (\$2,178,000); District Attorney (\$1,228,000); Public Defender (\$935,000); and Alternate Public Defender (\$339,000) to offset the ongoing cost of 469 County positions and the continued implementation of jail custody, community supervision, mental health and substance abuse treatment, and re-entry services required under Public Safety Realignment. This increase in appropriation is fully offset by the Public Safety Realignment Block Grant Program authorized under Assembly Bill 118.
2. Approve converting all Public Safety Realignment positions from monthly temporary "O" sub-item classifications to monthly permanent "A" sub-item classifications which is necessary to attract and retain the qualified professionals needed for the County's new custody, supervision, and treatment/support responsibilities with the non-serious, non-violent, non-sex offender, and parolee populations.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

In April 2011, the California Legislature passed the Public Safety Realignment Act (AB109/117) which transferred responsibility from the California Department of Corrections and Rehabilitation (CDCR) to the counties for the local incarceration of individuals whose last conviction was for a non-violent, non-serious, and/or non-sexual

crime (N3) and the supervision of such individuals from State prisons under Post-Release Community Supervision (PRCS). AB109/117 also placed State parole violators under the jurisdiction of counties while those individuals are held in local jails. Assembly Bill 118 (AB118) provides the funding for the local public safety services required under AB109/117.

In response to this significant shift in public safety responsibility, the Board adopted the Los Angeles County Public Safety Realignment Implementation Plan on August 30, 2011. The requested Appropriation Adjustment and the conversion from temporary to permanent positions will facilitate County departments' ongoing implementation of the required security, supervision, and treatment/support services of the parole violator, N3, and PRCS populations which commenced on October 1, 2011.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

The recommended actions are consistent with the principles of the County Strategic Plan Goal 1: Operational Effectiveness - Maximize the effectiveness of processes, structure, and operations to support timely delivery of customer-oriented and efficient public services; Goal 2: Fiscal Sustainability – Strengthen and enhance the County's capacity to sustain essential County services through proactive and prudent fiscal policies and stewardship; and Goal 3: Integrated Services Delivery – Maximize opportunities to measurably improve client and community outcomes and leverage resources through the continuous integration of health, community, and public safety services.

FISCAL IMPACT/FINANCING

The County assumed responsibility of the parole violator, N3, and PRCS populations on October 1, 2011. State funding for AB109/117 is provided through AB118 which established the Public Safety Realignment Block Grant Program to offset the costs to provide the incarceration, supervision, and treatment/support services. The following table summarizes the State funding allocation to Los Angeles County for Fiscal Year (FY) 2011-12, the estimated annual cost, and the funds received to date. Attachment II provides budget details by County department.

STATE REVENUE SOURCE (October 2011-June 2012)	Grant Amount	Estimated Year-End Expenditures	Funds Received (as of 4/30/12)	% of Grant Amount
AB109 Block Grant	\$112,558,273	\$112,558,000	\$73,697,753	65%
Revocation Block Grant*	\$4,034,688	\$4,034,000	\$2,652,788	66%
Start-Up Block Grant	\$7,942,300	\$7,942,000	\$7,942,300	100%
PUBLIC SAFETY REALIGNMENT TOTAL STATE FUNDING	\$124,535,261	\$124,534,000	\$84,292,841	68%

* Revocation Block Grant funds are restricted to cost related to PRCS revocation and cannot be used to offset other AB109/117 costs.

In addition to the State allocation of \$124.5 million, the Department of Mental Health (DMH) anticipates another \$820,000 in Federal and State matching funds for its client population. DMH has sufficient appropriation in FY 2011-12 to fund the \$820,000 in matching funds.

Trust Account Deposits and the Reimbursement Claims Process

As of April 30, 2012, the State has remitted \$84.3 million (68 percent) to the County's 2011 Public Safety Realignment Trust Accounts, corresponding with their 12-month remittance schedule that concludes in August 2012. The funds are held in the Local Community Corrections Trust Account (also referred as AB109 Block Grant and Start-up Block Grant) and the District Attorney and Public Defender Trust Account (also referred as Revocation Grant) as required under AB118. The Chief Executive Office (CEO) and the Auditor-Controller (A-C) have established a fiscal policy to require the impacted County departments to submit reimbursement claims to draw funds from the trust accounts for budgeted Public Safety Realignment costs.

October – December 2011 Experience

On October 11, 2011, the Board approved a \$33.7 million budget for AB109/117 implementation between October through December 2011. During that period, County departments have incurred \$27.9 million in costs comprised of 1) \$21.9 million in reimbursement claims against the AB109 Block Grant Program funds; 2) \$518,000 in reimbursement claims against the Revocation Block Grant Program funds; and 3) \$5.5 million in encumbrances for one-time costs against the AB109 Start-up Block Grant funds. The \$5.8 million balance remains in the trust accounts and available for departments' public safety realignment costs during this fiscal year.

Staffing

The table below summarizes the staffing levels needed for AB109/117 operations.

FISCAL YEAR 2011-12 DEPARTMENT STAFFING	Approved Budgeted Positions	Filled	Vacant	Additional Positions Needed (by June 30, 2012)	Total Positions Needed
		Positions (as of April 30, 2012)	Positions		
Probation Department	144	132	12	147	291
Sheriff	278	45	233	0	278
Department of Mental Health	26	8	18	21	47
Department of Public Health	4	0	4	0	4
District Attorney	6	5	1	0	6
Public Defender	7	4	3	3	10
Alternate Public Defender	4	2	2	0	4
	469	196 (42%)	273 (58%)	171	640

The Board had approved an initial 469 County positions to manage the N3 and PRCS populations between October through December 2011. However, only 196 positions have been filled, with the majority during the past two months, which is a reflection of the recruitment difficulty County departments have been experiencing. The underlying reason is the temporary "O" sub-item classifications of the AB109/117 positions. The following highlight the recruitment issues:

- Prospective external candidates have declined job offers because of the lack of job security and benefits, such as LACERA retirement, deferred compensation, dental insurance, life/AD&D insurance, step advances, etc. This is a particularly critical issue in the recruitment of Mental Health clinicians with forensic experience and law enforcement personnel; and
- Qualified internal candidates have declined promotions to AB109/117 positions because of concerns about moving from a permanent to a temporary position and are opting to wait for a permanent promotion.

Even when existing employees accept a promotion to an AB109/117 position, it has resulted in recruitment issues for their former position because it automatically converts into a temporary "O" sub-item classification. Departmental Human Resources Units have dedicated resources to track the potentially complicated trail of temporary promotions as the backfilling of "O" sub-item classifications can cascade to multiple lower level positions. For example: An AB109 Field Deputy Probation Officer position

is filled by a Camp Deputy Probation Officer, whose position could be filled by temporarily promoting a Juvenile Hall Detention Services Officer, whose position would then need to be filled, etc.

Based on the anticipated growth of the N3 and PRCS populations, County departments will need the equivalent of 640 positions for custody, supervision, and treatment/support services by June 30, 2012. However, given the difficulties in filling the positions needed for just the first three months of Public Safety Realignment with only 42 percent for the initial positions filled, County departments have temporarily reassigned and/or rotated staff from other programs into AB109/117 assignments to manage the increased workload. This has resulted in a largely transitory Public Safety Realignment workforce. Another consequence is the operational effectiveness of the departments' other programs being affected by the temporary reassignment of staff.

In order to attract and retain qualified professionals and immediately fill these critically needed AB109/117 positions, we recommend the reclassification of AB109/117 positions from temporary "O" sub-item classifications to monthly permanent "A" sub-item classifications. External candidates accepting a permanent AB109/117 position would receive full benefits and current employees would receive permanent promotions. In addition, promotions to an "A" sub-item classification would eliminate the need to track the backfill cascade of positions. The reclassification to permanent positions would not have a fiscal impact because the overall Public Safety Realignment budget is based on each AB109/117 position being budgeted against the cost of full-time salary and employee benefits.

Anticipated 2012-13 Public Safety Realignment Budget

In response to the counties' serious concerns about the adequacy of the State's funding levels, the Governor has introduced trailer bill language to provide legislative protections for Public Safety Realignment funding comparable to the Constitutional guarantees contained within his November 2012 ballot initiative to shield counties from future increased and unfunded costs. This action further supports the proposal to convert positions from temporary "O" sub-item classifications to monthly permanent "A" sub-item classifications. The CEO also participated in developing the Statewide allocation formula for Public Safety Realignment funding which maintains the 32 percent allocation to Los Angeles County for the next two fiscal years. This allocation percentage, along with the Governor's May Revised Budget, equates to \$272.4 million for FY 2012-13. During final changes, we will place this anticipated revenue in a Provisional Financing Uses account and add 640 ordinance-only positions, corresponding to the June 2012 staffing level needed for N3 and PRCS caseload management.

Unfortunately, the \$272.4 million remains inadequate compared to the operational needs anticipated by County departments which are driven by the N3 and PRCS population statistics. During the next fiscal year, CDCR, Sheriff, and Probation estimate the N3 jail population to increase from 5,400 to 8,800 (63 percent) and the PRCS population to increase from 8,400 to 15,200 (81 percent). We have further concerns regarding the adequacy of funding for mental health, health care, and rehabilitation funding. It is against this backdrop that we will be working with the County departments to assess their operational experiences and needs, program priorities such as jail capacity and alternative custody options, and the corresponding staffing and recruitment strategies before finalizing their specific budget and staffing allocations in Supplemental Changes.

The CEO and A-C will continue to maintain the trust accounts and reimbursement claims procedures.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

In April 2011, the California Legislature passed the Public Safety Realignment Act which transferred responsibility from the CDCR to the counties for the incarceration of individuals convicted of non-violent, non-serious, and non-sex offender crimes and the supervision of such individuals from State prisons under PRCS. AB109/117 also shifted jurisdiction to the counties for State parole violators who are incarcerated in county jails.

On August 20, 2011, the Board adopted the Los Angeles County Public Safety Realignment Implementation Plan which, pursuant to the rehabilitation objectives of AB109/117, is designed to provide evidence-based services and programs during the incarceration and supervision of the N3 and PRCS populations.

Commencing October 1, 2011, individuals who are now convicted of a N3 crime are to serve the duration of their sentence in county jails and Probation began the supervision of the PRCS population who are released from State prisons.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

The short timeframe to implement AB109/117 and the County departments' recruitment issues have challenged the County's ability to ramp-up operations and staffing to meet the security, supervision, and treatment/support needs of the N3 and PRCS populations. Further complicating the roll-out of this new responsibility is the long criminogenic history, high risk to recidivate, and severe mental health needs of individuals within these populations which require significant resources to monitor and treat. While the limited funding provided by the State continues to present serious challenges to providing the appropriate level of security, supervision, and

The Honorable Board of Supervisors
June 6, 2012
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treatment/support services needed by the N3 and PRCS populations, each County department will continue to adapt their operations and deploy their resources to ensure coordinated efforts are taken to maintain the safety of our communities.

Respectfully submitted,



WILLIAM T FUJIOKA
Chief Executive Officer

WTF:GM:SW
DT:ilm

Attachments

- c: Executive Officer, Board of Supervisors
- County Counsel
- Auditor-Controller
- District Attorney
- Sheriff
- Alternate Public Defender
- Health Services
- Mental Health
- Probation
- Public Defender
- Public Health

June 06, 2012

COUNTY OF LOS ANGELES

DEPT NO: 060

REQUEST FOR APPROPRIATION ADJUSTMENT

DEPARTMENT OF CHIEF EXECUTIVE OFFICER

AUDITOR-CONTROLLER:

THE FOLLOWING APPROPRIATION ADJUSTMENT IS DEEMED NECESSARY BY THIS DEPARTMENT. PLEASE CONFIRM THE ACCOUNTING ENTRIES AND AVAILABLE BALANCES AND FORWARD TO THE CHIEF EXECUTIVE OFFICER FOR HIS RECOMMENDATION OR ACTION.

ADJUSTMENT REQUESTED AND REASONS THEREFOR

FY 2011-12

4 - VOTES

SOURCES	USES
SEE ATTACHED	SEE ATTACHED

ADOPTED
BOARD OF SUPERVISORS
 COUNTY OF LOS ANGELES

14 JUN 6 2012

Sachi A. Hamai
 SACHI A. HAMAI
 EXECUTIVE OFFICER

SOURCES TOTAL	90,834,000	USES TOTAL	90,834,000
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JUSTIFICATION

Reflects funding in the amount of \$90,834,000 for the Departments of Probation, Sheriff, District Attorney, Public Defender, Alternate Public Defender, Mental Health, Public Health and Health Services to fund the staffing, training, equipment, information systems, programming and re-entry services required for the continued implementation of the Public Safety Realignment Act (AB 109 and 117).

Sheila Williams
 AUTHORIZED SIGNATURE SHEILA WILLIAMS, MANAGER, CEO

BOARD OF SUPERVISOR'S APPROVAL (AS REQUESTED/REVISED)

REFERRED TO THE CHIEF EXECUTIVE OFFICER FOR---

ACTION

RECOMMENDATION

APPROVED AS REQUESTED

APPROVED AS REVISED

AUDITOR-CONTROLLER

BY *Cosyn*

CHIEF EXECUTIVE OFFICER

BY *Suzanne Matthee*

B.A. NO. *BA169*

DATE *May 23, 2012*

DATE *5/24/12*

BUDGET ADJUSTMENT
COUNTY OF LOS ANGELES

Attachment I

CHIEF EXECUTIVE OFFICE

FY 2011-12

SOURCES	USES
DISTRICT ATTORNEY A01-DA-88-8947-14030 2011 REALIGNMENT-DISTRICT ATTORNEY & PUBLIC DEFENDER INCREASE REVENUE - 1,228,000	DISTRICT ATTORNEY A01-DA-1000-14030 SALARIES & EMPLOYEE BENEFITS INCREASE APPROPRIATION - 456,000
	DISTRICT ATTORNEY A01-DA-2000-14030 SERVICES & SUPPLIES INCREASE APPROPRIATION - 772,000
PUBLIC DEFENDER A01-PD-88-8947-15200 2011 REALIGNMENT-DISTRICT ATTORNEY & PUBLIC DEFENDER INCREASE REVENUE - 935,000	PUBLIC DEFENDER A01-PD-1000-15200 SALARIES & EMPLOYEE BENEFITS INCREASE APPROPRIATION - 486,000
	PUBLIC DEFENDER A01-PD-2000-15200 SERVICES & SUPPLIES INCREASE APPROPRIATION - 449,000
ALTERNATE PUBLIC DEFENDER A01-AD-88-8947-15575 2011 REALIGNMENT-DISTRICT ATTORNEY & PUBLIC DEFENDER INCREASE REVENUE - 339,000	ALTERNATE PUBLIC DEFENDER A01-AD-1000-15575 SALARIES & EMPLOYEE BENEFITS INCREASE APPROPRIATION - 250,000
	ALTERNATE PUBLIC DEFENDER A01-AD-2000-15575 SERVICES & SUPPLIES INCREASE APPROPRIATION - 89,000
PROBATION - FIELD SERVICES A01-PB-88-8944-17000-17300 2011 REALIGNMENT-AB109 INCREASE REVENUE - 20,192,000	PROBATION - FIELD SERVICES A01-PB-1000-17000-17300 SALARIES & EMPLOYEE BENEFITS INCREASE APPROPRIATION - 11,827,000
	PROBATION - FIELD SERVICES A01-PB-2000-17000-17300 SERVICES & SUPPLIES INCREASE APPROPRIATION - 5,791,000
	PROBATION - FIELD SERVICES A01-PB-6030-17000-17300 CAPITAL ASSETS - EQUIPMENT INCREASE APPROPRIATION - 2,574,000

BA169

Cosyn 5/23/12

BUDGET ADJUSTMENT
COUNTY OF LOS ANGELES

Attachment I

CHIEF EXECUTIVE OFFICE

FY 2011-12

SOURCES		USES	
SHERIFF - CUSTODY A01-SH-88-8944-15681-15685 2011 REALIGNMENT-AB109 INCREASE REVENUE	-	52,423,000	
			SHERIFF - CUSTODY A01-SH-92-9428-15681-15685 PRISONER MAINTENANCE DECREASE REVENUE
			-
			23,027,000
			SHERIFF - CUSTODY A01-SH-1000-15681-15685 SALARIES & EMPLOYEE BENEFITS INCREASE APPROPRIATION
			-
			21,486,000
			SHERIFF - CUSTODY A01-SH-2000-15681-15685 SERVICES & SUPPLIES INCREASE APPROPRIATION
			-
			7,910,000
SHERIFF - PATROL A01-SH-88-8944-15681-15682 2011 REALIGNMENT-AB109 INCREASE REVENUE	-	4,455,000	
			SHERIFF - PATROL A01-SH-1000-15681-15682 SALARIES & EMPLOYEE BENEFITS INCREASE APPROPRIATION
			-
			4,027,000
			SHERIFF - PATROL A01-SH-2000-15681-15682 SERVICES & SUPPLIES INCREASE APPROPRIATION
			-
			428,000
PUBLIC HEALTH - SUBSTANCE ABUSE PREVENTION AND CONT A01-PG-88-8944-20400 2011 REALIGNMENT-AB109 INCREASE REVENUE	-	1,596,000	
			PUBLIC HEALTH - SUBSTANCE ABUSE PREVENTION AND CONT A01-PG-1000-20400 SALARIES & EMPLOYEE BENEFITS INCREASE APPROPRIATION
			-
			146,000
			PUBLIC HEALTH - SUBSTANCE ABUSE PREVENTION AND CONT A01-PG-2000-20400 SERVICES & SUPPLIES INCREASE APPROPRIATION
			-
			1,450,000
MENTAL HEALTH A01-MH-88-8944-20500 2011 REALIGNMENT-AB109 INCREASE REVENUE	-	7,488,000	
			MENTAL HEALTH A01-MH-1000-20500 SALARIES & EMPLOYEE BENEFITS INCREASE APPROPRIATION
			-
			2,068,000
			MENTAL HEALTH A01-MH-2000-20500 SERVICES & SUPPLIES INCREASE APPROPRIATION
			-
			5,420,000
LAC+USC HEALTHCARE NETWORK ENTERPRISE FUND MN4-HG-88-8944-60010 2011 REALIGNMENT-AB109 INCREASE REVENUE	-	2,178,000	
			LAC+USC HEALTHCARE NETWORK ENTERPRISE FUND MN4-HG-88-8831-60010 STATE-OTHER DECREASE REVENUE
			-
			2,178,000
SOURCES TOTAL		90,834,000	USES TOTAL
			90,834,000

BA169
Custody 5/23/12

**AB109 PUBLIC SAFETY REALIGNMENT
2011-12 ESTIMATED ANNUAL COSTS
COUNTY OF LOS ANGELES**

STATE FUNDING AMOUNT	Oct-Dec 2011 Approved Budget	CEO Recommendation for Jan-Jun 2012	TOTAL BUDGET
TOTAL DEPARTMENT AB109 SUMMARY			
Probation Department	\$ 8,631,000	\$ 20,192,000	\$ 28,823,000
Sheriff	\$ 18,416,000	\$ 56,878,000	\$ 75,294,000
Department of Mental Health	\$ 4,203,000	\$ 7,488,000	\$ 11,691,000
Department of Public Health	\$ 823,000	\$ 1,596,000	\$ 2,419,000
Department of Health Services	\$ -	\$ 2,178,000	\$ 2,178,000
Department of Public Social Services	\$ -	\$ -	\$ -
District Attorney	\$ 227,000	\$ 1,228,000	\$ 1,455,000
Public Defender	\$ 494,000	\$ 935,000	\$ 1,429,000
Alternate Public Defender	\$ 396,000	\$ 339,000	\$ 735,000
Chief Executive Office	\$ 10,000	\$ -	\$ 10,000
Provisional Financing Uses Account	\$ 500,000	\$ -	\$ 500,000
TOTAL FUNDING \$	124,535,261	\$ 33,700,000	\$ 90,834,000
			\$ 124,534,000